

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:05cr390

UNITED STATES OF AMERICA)

vs.)

RECCO SALAVES MEEKS (9))
_____)

O R D E R

THIS MATTER is before the Court upon motion of the defendant, pro se, for a reduction of his sentence pursuant to Federal Rule of Criminal Procedure 35(b). (Doc. No. 350).

The defendant asserts that he has provided assistance to law enforcement, but that the United States Attorney does not intend to file a motion on his behalf at this time. Federal Rule of Criminal Procedure 35(b) clearly states that the government must file a motion before the Court can reduce a sentence based on substantial assistance. United States v. Francois, 889 F.2d 1341, 1345 (4th Cir. 1989).

IT IS, THEREFORE, ORDERED that the defendant's motion is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, and to the United States Attorney.

Signed: October 9, 2009



Robert J. Conrad, Jr.
Chief United States District Judge

